



Lamoine Board of Selectmen

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Minutes of October 20, 2011

Chair Jo Cooper called the meeting to order at 8:20 PM at the Lamoine Consolidated School Gym.

Present were: Selectmen Cynthia Donaldson, S. Josephine Cooper, Richard Fennelly Jr., Gary McFarland, William Brann; Administrative Assistant Stu Marckoon, Donna Fennelly, Transfer Station Manager William Fennelly. (Ann McCann, Dale Macurdy and Stuart Branch were present at the start of the meeting, having been in attendance at the school forum just prior to the start).

Minutes of October 6, 2011 – Richard moved to approve the minutes with some minor corrections. Gary 2nd. **Vote in favor was 4-0 (Cooper abstained).**

Expenditure Warrant 8 – Selectmen signed warrant 8 in the amount of \$191,321.32. There was a brief discussion about the school bill which is a monthly bill. Stu noted that he transferred \$90,000 from investments to cover the warrant.

Cash & Budget Report – Bill asked why there was no expenditure shown for road paving. Stu said the Asa's Lane paving was spent with encumbered funds from FY 2010/11, and the paving for this fiscal year will be done in the spring of 2012. Richard asked about revenue sharing. Stu said the October allocation was received earlier today and is reflected on the report distributed at the meeting. Cynthia said the legal expense line is helpful.

Investment Management and Hodgkins Fund Reports – There were no questions about either report.

Audit – Richard noted a reference to a material issue in regard to high school tuition. Stu explained that the tuition amount that was owed to MDI High School at the end of FY 2010 that exceeded the town budget was included in the school assessment for FY 2011.

Richard moved to sign the management representation letter to James Wadman, CPA. Gary 2nd. **Vote in favor was 5-0, Jo signed the letter.**

Public Hearing – General Assistance Ordinance – Jo opened the hearing at 8:27 PM. Stu explained this is the annual increase in General Assistance eligibility lines. Richard asked what the percentage increase was. Stu said he was not sure what MMA used. The hearing closed at 8:28 PM. Jo moved to approve the new General Assistance Ordinance levels as proposed by Maine Municipal Association. Richard 2nd. **Vote in favor was 5-0. Selectmen signed the proper sheet.**

Transfer Station Matters - Jo asked how to proceed with discussion about a theft complaint at the transfer station and whether it could be handled in executive session. Stu asked what provision of the executive session law this would fall under. A brief discussion followed, and the meeting remained open to the public.

Jo said she was concerned by the incident reported by Bill Fennelly. Stu asked if the Selectmen had any question about the report. Jo said it appeared everyone was saying the same thing. Richard said he was concerned about the gate not being locked while Pine Tree Waste was picking up trash. He said a terse reminder should be issued to Pine Tree Waste about that.

Stu reported there was a 2nd incident of a person being present at the transfer station while Pine Tree was unloading the trash, and the driver reported to him that the gate was closed and that he told the person that the facility was closed. Jo said she would like to communicate to that person that they should not be there when the facility is closed. There was a discussion about whether such a communication should be made and how to word it. Jo said she would like to send a letter. Cynthia said the letter should state that there are rules and the Selectmen are serious about enforcing those rules. Richard said all trespassing complaints should be treated the same. Bill said the transfer station manager monitors what is placed in the dumpsters during the open hours, and asked what would happen if an explosive or hazardous material was left. Gary said to not respond would be like encouraging people to sneak in to the transfer station and steal services. He said that's not fair to Mr. Fennelly.

Commercial Hauler Applications – Jo said she was concerned in regard to an incident involving Mr. Boynton, and asked whether it affects the board's decision making in regard to his application for commercial hauling privileges. Gary said it does. He said Mr. Boynton has been essentially put on probation from a previous incident. Bill noted that it was an application the Board is dealing with. Jo asked what the standard was that the Selectmen would hold a commercial hauler to. She said part of the discussion when the policy was passed was that it is based on the honor system, and that's a concern to her. Mr. Fennelly said that Mr. Boynton lied to him for a year. Richard said the Selectmen dealt with one issue by suspending him for a period of time. He said the new policy allows for reinstatement, provided the commercial trash hauler follows the rules. Cynthia said Mr. Boynton should deal with the Selectmen in executive session, though it's not a personnel matter. Jo said the latest incident makes her think it isn't going to work. She said the Selectmen have bent over backwards to accommodate Mr. Boynton

Richard suggested that the town refund the application fee and reconsider in six months. Jo said she'd prefer a year. Bill said there is a penalty payment pending, but asked how one can reinstate trust. Cynthia asked if Mr. Boynton understands that. Jo said she hopes the Board has made it clear that they've really tried.

Jo moved to approve the commercial trash hauler application from Vinal Tainter, and to reject the application from Mr. Boynton, refund his application fee and inform him that the board will reconsider the matter in 12-months. Gary 2nd. **Vote in favor was 5-0.**

Surveillance Camera – Stu reported that State Trooper Tom Pickering had contacted him in regard to a vandalism incident and asked if there as any interest in having surveillance camera installed at a strategic location. Selectmen indicated some interest, but wanted to know the logistics and cost.

Paperwork Reduction – Cynthia said she thought it was a great idea to try to cut down on the paperwork included in the Selectmen's packets. Stu asked what specifically the Selectmen wanted. Jo said she favored a reduction in the amount of paper that is not specific to the agenda, and one copy could be supplied at the meeting for review. A short discussion followed on the method to accomplish the reduction, and a possible secure site on the town's website. Stu said most of the paperwork is already on the website. Selectmen asked to try reduced paperwork for a couple of months.

Trenton Waste Meeting – Stu reminded the Selectmen that there is a meeting with Trenton's Solid Waste Committee on November 2, 2011 at 7PM.

Shellfish License Application – Stu reported that he's been working with the City of Ellsworth on a revised Shellfishing License application. He said no action is needed by the board. Richard said the joint municipal board has approved that application. There was a brief discussion about an article in the Ellsworth American about diggers working in Blue Hill.

Richard said some changes to the ordinance are still needed, but Ellsworth and Lamoine are the only towns that have dealt with the first round of proposed changes thus far. He said Sullivan does not want a special meeting, but things need to be approved periodically. He said there was a concern when the ordinance was drafted about giving the Joint Municipal Board some authority to make amendments, and he's not sure how to get the ordinance changed to reflect that. He said they talked about floating an article at the next joint board meeting to allow the Boards of Selectmen to make amendments to the ordinance. He said if there is an agreement to pursue that, an article could be drafted for the next round of town meetings to allow it.

Budget – Stu reported the Budget Committee met last Monday. He said there were just three Budget Committee members available and no Selectmen showed up. He said the budget is pretty much done, and the municipal side is looking significantly smaller thanks to lower paving needs.

Other – Cynthia reported that the state has received a \$30-million dollar grant for early childhood development programs. She said she attended a gathering in Castine. She said she wanted to prepare some sort of resolve to welcome new babies born in town. Stu said confidentiality laws would likely prevent that from happening. A short discussion about community cohesiveness followed.

Executive Session – Jo moved to enter executive session pursuant to 1MRSA §405(6)(a) to discuss a personnel matter. Richard 2nd. **Vote in favor was 5-0 at 9:10 PM. Out at 9:12 PM.**

There being no further business, the meeting adjourned at 9:12 PM

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Selectmen